

REMARKS

Claims 1-4, 6, 17, and 20-23 were rejected under 35 U.S.C. § 103(a) in view of Birkinshaw et al., WO 02/090332 ("Birkinshaw"). However, the present application claims priority to PCT/SE2003/001712, filed November 6, 2003, which in turns claims priority to Swedish Patent Application Serial No. 0203304.1, filed March 7, 2002. The inventions covered by claims 1-4, 6, 17, and 20-23 are described in Swedish Patent Application Serial No. 0203304.1. Therefore, these claims are entitled to an effective filing date of November 7, 2002. Birkinshaw published subsequent to that date, on November 14, 2002, and as a result does not qualify as prior art under 35 U.S.C. § 102(a) or 35 U.S.C. § 102(b). Thus, the 35 U.S.C. § 103(a) rejection of claims 1-4, 6, 17, and 20-23 based on Birkinshaw should be withdrawn because Birkinshaw does not qualify as prior art to these claims.

Claim 17 has been amended to remove "at risk of" and to limit the inflammatory disease to three specific conditions listed in claims 21-23. Applicants also have added "therapeutically effective amount" to claim 17. It is believed that these amendments address the 35 U.S.C. § 112, ¶ 1 and 35 U.S.C. § 112, ¶ 2 concerns raised by the Examiner.

Claims 1-4, 6, 17, 18, and 20-23 have been rejected provisionally for obviousness-type double patenting in view of the claims in co pending U.S.S.N. 10/476,958. Applicants will address this rejection and, if appropriate, file a terminal disclaimer once the present claims are deemed otherwise allowable.

Applicants respectfully submit the claims are in condition for allowance and such action is requested.

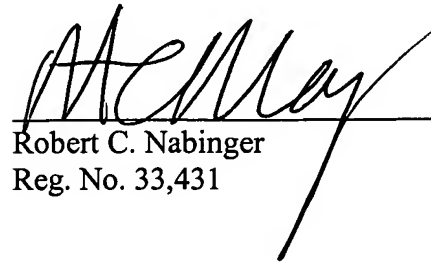
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Page : 7 of 7

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Respectfully submitted,

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